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CENTRAL FAX CENTER

PAGE 01

JUL 04 2004

OFFICIAL

Dear Sir/Madam (Fax #703-872-9306):

RE: Patent Filing 09/916,701, "Method for Shifting the Bandgap Energy of
A Quantum Well Layer"

I called the paralegal of your "Office for Petition Examiner" and spoke to Mr. Tom Hawkins (703-305-8380) and he advised me to Fax you our document with respect to the above matter. Please pass the enclosed Fax document (total 26 pages) along to them for review.

We have been awaiting the award of the above patent that had been allowed on March 14, 2003. The patent office probably mistakenly abandoned the patent on ground that it did not receive our final set of drawings (See attached Document page 6) while we had actually sent them on time.

A petition to "withdraw holding of abandonment" was sent to the patent office to correct the error. This was sent by our patent lawyer Alan Limbach of Gray Cary on 9 September 03 (page 1 of enclosed Document) with the enclosure of a return postcard and document to show our timely mailing date of 22 July 03 (page 8 of enclosed Document). The letter showed our timely submittal and possible Patent Office error.

We have not heard from the Patent Office since and are eager to see the award of the patent. Please let me know if the patent will be awarded soon. In case there is any question, I can be contacted at 224-588-0958 (cell) or my assistant Dr. Jing Ma at 847-208-3918 at any time. In any case, I will call Tom Hawkins in a week to check with him. Thanks.

Best regards,


Seng-Tiong Ho

120 Picardy Lane
Wheeling, IL 60090
224-588-0958

3 July 04

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JUL 04 2004

- 1 -

OFFICIAL
PATENTAtty Dckt Number: 2103248-990140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BOON-SIEW OOI et al.

Application No. 09/916,701

Filed: July 26, 2001

For: METHOD OF SHIFTING THE
BANDGAP ENERGY OF A QUANTUM
WELL LAYER

Group Art Unit: 2812

Examiner: SAVITRI MULPURI

**PETITION TO WITHDRAW
HOLDING OF ABANDONMENT**2000 University Avenue,
East Palo Alto, CA 94303-2248
(650) 833-2000Commissioner for Patents
PO Box 1450
Mail Stop: Issue Fee
Alexandria, VA 22313-1450**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450, on September 9, 2003.

GRAY CARD WARE & FREDENRICH

Date: 9/9/03

By: 

Linda West

Sir:

Applicants hereby petition to withdraw the holding of abandonment in the present application, as evidenced in the Notice of Abandonment mailed September 2, 2003 (copy submitted herewith).

According to the Notice of Abandonment, the present application was abandoned due to Applicants' alleged failure to timely file new formal drawings as required in the Notice of Allowability, namely that no new formal drawings were received.

Applicants submit that new formal drawings were indeed timely submitted in the present case. Submitted herewith is a true and correct copy of Applicant's response to the Notice of Allowance, which included:

1. Transmittal Form
2. PTOL 85B Fee Transmittal

Atty Dckt Number: 2103248-990140PATENT

- 2 -

3. Fee Transmittal.
4. Submission of Formal Drawings transmittal.
5. 13 Sheets of Formal Drawings.
6. Check for \$950.
7. Certificate of First Class Mailing
8. Return Postcard.

Also submitted herewith is a true and correct copy of the stamped postcard receipt, which is prima facie evidence under MPEP 503 of receipt in the USPTO of all items listed thereon, including the 13 sheets of formal drawings.

Therefore, it is respectfully requested that the abandonment of the present application be withdrawn.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH

Dated: Sept. 9, 2003

By: Alan A. Limbach

Alan A. Limbach
Reg. No. 39,749

Attorneys for Applicant(s)

TELEPHONE: (650) 833-2433 (direct line)
TELECOPY: (650) 833-2001

Gray Cary\EM\7149888.1
2103248-990140

AAL



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/916,701 | 07/26/2001 | Boon-Siew Ooi | 021040-000800US | 9267 |

26379 7590 09/02/2003

GRAY CARY WARE & FREIDENRICH LLP
2000 UNIVERSITY AVENUE
E. PALO ALTO, CA 94303-2248

EXAMINER

MULPURI, SAVITRI

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2812

p#12

DATE MAILED: 09/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED

RECEIVED

SEP - 8 2003

GRAY CARY
WARE & FREIDENRICH

Mail Stop Issue Fee
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mailed: September 9, 2003 Docket No. 2103248-990140
U.S. Serial No. 09/916,701
Filed July 26, 2001

Enclosed are:

- 1) Transmittal Cover Sheet;
- 2) Petition to Withdraw Holding on Abandonment with Attachments; and
- 3) Return postcard.

.2103248-990140 Phosistor Technologies AAL/lmw

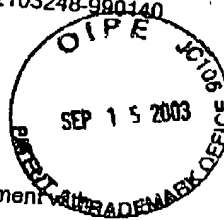
Mail Stop Issue Fee
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mailed: September 9, 2003 Docket No. 2103248-990140
U.S. Serial No. 09/916,701
Filed July 26, 2001

Enclosed are:

- 1) Transmittal Cover Sheet;
- 2) Petition to Withdraw Holding on Abandonment with Attachments; and
- 3) Return postcard.

.2103248-990140 Phosistor Technologies AAL/lmw



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Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

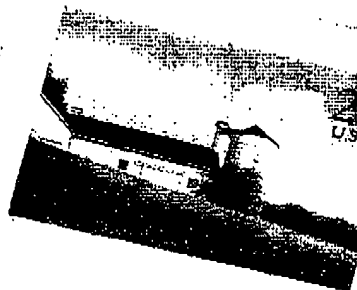
Mailed: September 9, 2003
U.S. Serial No. 09/016,701
Filed July 26, 2001

Docket No. 2103


Enclosed are:

- 1) Transmittal Cover Sheet;
- 2) Petition to Withdraw Holding on Abar Attachments; and
- 3) Return postcard.

2103248-990140 Phosistor Techno



GRAY CARY
WARE & FREIDENRICH
LIMITED LIABILITY PARTNERSHIP
2000 University Avenue
East Palo Alto, CA 94303-2248

Please type a plus sign (+) inside this box 

PTO/SB/21 (08-00)

| | | |
|--|----------------------|---------------------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/916,701 |
| | Filing Date | July 26, 2001 |
| | First Named Inventor | Boon-Siew Ooi et al. |
| | Group Art Unit | 2812 |
| | Examiner Name | Savitri Mulpuri |
| Total Number of Pages in This Submission | | Attorney Docket Number 2103248-990140 |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Petition to Withdraw Holding of Abandonment |
| Remarks | | |

☒ Customer Number or Bar Code Label

26379

(Insert Customer No. or Attach bar code label here)

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____ A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

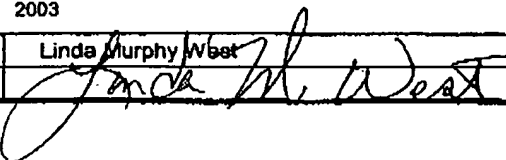
Dated: September 9, 2003

By: 

Attorney Name Alan A. Limbach
 Reg. No. 39,749
 Attorneys for Applicant(s)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Box 1450, Alexandria, VA on this date: September 9, 2003

| | | | |
|-----------------------|---|------|-------------------|
| Typed or printed name | Linda Murphy West | Date | September 9, 2003 |
| Signature |  | | |

Gray Cary\EM\7149934.1
 2103248-990140

Gray Cary\EM\7149934.1
 7107248-000140



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

| | | | |
|--|-------------|-----------------------|---------------------|
| APPLICATION NUMBER <i>091916, 101</i> | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|--|-------------|-----------------------|---------------------|

| |
|----------|
| EXAMINER |
|----------|

| | |
|----------|-------------------------------|
| ART UNIT | PAPER NUMBER <i>PT# 12</i> |
|----------|-------------------------------|

DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on _____.
- ☐ A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.
- ☐ A proposed response was received on _____, but it does not constitute a proper response to the final rejection.
- (A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).
- ☐ No response has been received.
- ☐ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.
- ☐ The submitted issue fee of \$ _____ is insufficient. The issue fee required by 37 CFR 1.18 is \$ _____.
- ☐ The issue fee has not been received.
- ☒ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.
- ☐ The proposed new formal drawings filed _____ are not acceptable.
- ☒ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

ABANDONMENT
CONTACT PERSON IS:
 TOM HAWKINS

Respond to the Notice of Abandonment by one of the following:**Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I) and 37 CFR § 1.181) No fee required**

Where an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181, to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f). In order for a petition to be granted, the evidence must be sufficient according to one of the following standards:

- 37 CFR § 1.8(b) Certificate of Mailing
- 37 CFR § 1.10 "Express Mail" mailing
- MPEP 503 Postcard Receipt as Prima Facie Evidence

Petition To Withdraw Holding Of Abandonment should be addressed as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Mail Stop: Issue Fee, Alexandria, VA 22313-1450

By facsimile: 703-305-8755 or 703-305-4372

Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (See MPEP 711.03(c) II). No fee required

Where an applicant contends that the original Notice of Allowance and Issue Fee Due was never received. If adequately supported, the Office may grant the petition and remail the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
(Mark attention of a particular office or individual)

By facsimile: Technology Center numbers posted at <http://www.uspto.gov/september1/faxnotice.htm>

Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)

Where there is no dispute as to whether an application is abandoned (e.g. the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) unavoidable or (b) unintentionally (accompanied by the appropriate petition fee) is necessary to revive the abandoned application.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By hand: Crystal Plaza 4, Rm. 3C23, 2201 Clark Place, Arlington, VA

By facsimile: 703-308-6916

Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a) and Unintentionally Under 37 CFR 1.137(b), forms available at USPTO website – <http://www.uspto.gov>

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment.

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mailing Date: July 22, 2003
U.S. Serial No.: 09/916,701
Filing Date: July 26, 2001
Title: METHOD FOR SHIFTING THE BANDGAP ENERGY OF A
QUANTUM WELL LAYER

Enclosed are:

- 1) Transmittal Form (in duplicate);
- 2) PTOL 85B Fee Transmittal (in duplicate);
- 3) Fee Transmittal FY 2003 (in duplicate);
- 4) Submission of Formal Drawings Transmittal (in duplicate);
- 5) 13 Sheets of Formal Drawings;
- 5) Check in the amount of \$ 950.00;
- 6) Certificate of First Class Mailing; and
- 7) Return Postcard.

2103248-990140 (Phosistor)

22260/AAL/kl

21
USA

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mailing Date: July 22, 2003
U.S. Serial No.: 09/916,701
Filing Date: July 26, 2001
Title: METHOD FOR SHIFTING THE BANDGAP ENERGY OF A
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- 6) Certificate of First Class Mailing; and
- 7) Return Postcard.

2103248-990140 (Phosistor)



22260/AAL/kl

PTO/SB/05 (05-03)

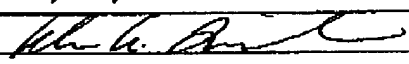
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|----------------------|------------------------|----------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/916,701 | |
| | Filing Date | July 26, 2001 | |
| | First Named Inventor | Boon Siew Ooi | |
| | Art Unit | 2812 | |
| | Examiner | Savitri Mulpuri | |
| Total Number of Pages in This Submission | 21 | Attorney Docket Number | 2103248-990140 |

| ENCLOSURES (Check all that apply) | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Fee Attached - \$950.00 <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s) Formal - 13 sheets <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTOL-85 Part B (in duplicate) Letter to Draftsperson (in duplicate) Return Postcard |
| Remarks The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed. | | |
| Customer Number 26379 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|--------------------|---|
| Firm or Individual | Alan A. Limbach, Reg. No. 39,749 Gray Cary Ware & Freidenrich LLP |
| Signature |  |
| Date | July 22, 2003 |

CERTIFICATE OF TRANSMISSION/MAILING

| | | | |
|---|---|------|---------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed | Kathleen LaBrie | | |
| Signature |  | Date | July 22, 2003 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

American LegalNet, Inc.
www.USCourtForms.com

PTO/SB/05 (05-03)

For use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
This form is for information only. It displays a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 950.00

Complete if Known

Application Number 09/916,701
Filing Date July 26, 2001
First Named Inventor Boon siew Ooi
Examiner Name Savitri Mulpuri
Art Unit 2812
Attorney Docket No. 2103248-990140

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

07-1896

Gray Cary Ware & Freidenrich LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|-------------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 750 | 2001 | 375 | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | | | 0.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|-------------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 | |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid | |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) (\$) | | | | | 0.00 |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|---|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | 650.00 |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) Publication Fee (\$300) | | | | | 300.00 |
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Name (Print/Type)

Alan A. Limbach

Registration No.
(Attorney/Agent)

39,749

(Complete if applicable)

Telephone

650-833-2433

Signature

[Signature]

Date

July 22, 2003

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26379 7590 04/22/2003

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2000 University Avenue
Palo Alto, CA 94303-2248

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Kathleen LaBrie

(Depositor's name)

Kathleen LaBrie

(Signature)

July 22, 2003

(Date)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/916,701 | 07/26/2001 | Boon-Siew Ooi | 021040-000800US | 9267 |

TITLE OF INVENTION: METHOD FOR SHIFTING THE BANDGAP ENERGY OF A QUANTUM WELL LAYER

| APPL. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|-------------------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO YES | \$1300 | \$300 | \$1600 | 07/22/2003 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|------------------|----------|----------------|
| MULPURI, SAVITRI | 2812 | 438-022000 |

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Phosistor Technologies,
Incorporated

(B) RESIDENCE (CITY and STATE OR COUNTRY)

Pleasanton, California

Please check the appropriate assignee category or categories (will not be printed on the patent)

☐ individual ☒ corporation or other private group entity ☐ government

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(Date)

Kathleen LaBrie July 22, 2003
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JUL 04 2004

Attorney Docket No. 2103248-990140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Boon-Siew Ooi

Group Art Unit: 2812

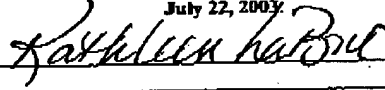
Serial No.: 09/916,701

Examiner: Savitri Mulpuri

Filed: July 26, 2001

Gray Cary Ware & Freidenrich LLP
2000 University Avenue
East Palo Alto, CA 94303-2248Title: METHOD FOR SHIFTING THE BANDGAP
ENERGY OF A QUANTUM WELL LAYERCertificate of Mailing

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Dear Sir:

Applicant hereby submits thirteen (13) sheets of formal drawings in the above-identified patent application.

Please charge any fees for the submission of the formal drawings to Gray Cary Ware & Freidenrich LLP, deposit account 07-1896. A duplicate copy of this transmittal is enclosed if charge of additional fees is necessary.

GRAY CARY WARE & FREIDENRICH LLP

Dated July 22, 2003By 

Alan A. Limbach

Reg. No. 39,749

Attorney for Applicant(s)

Customer Number
26379Gray Cary\EM\7145355.1
7103248-990140

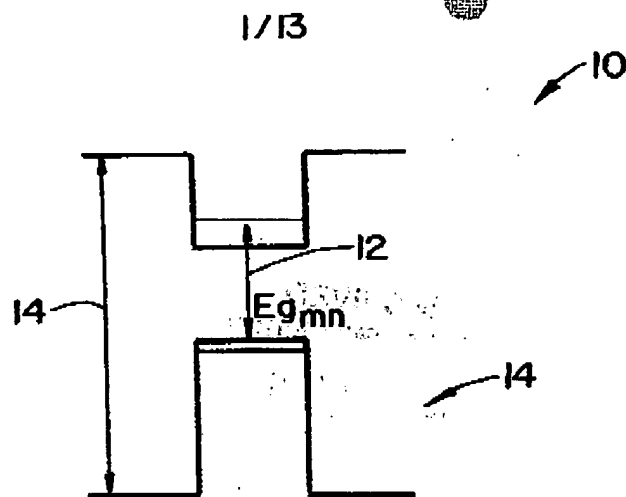


FIG. 1A.

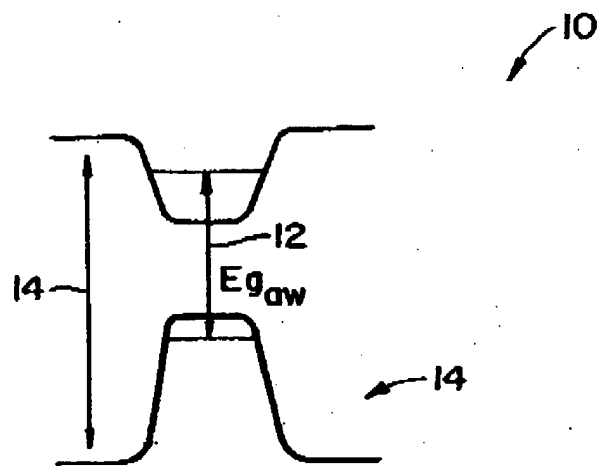
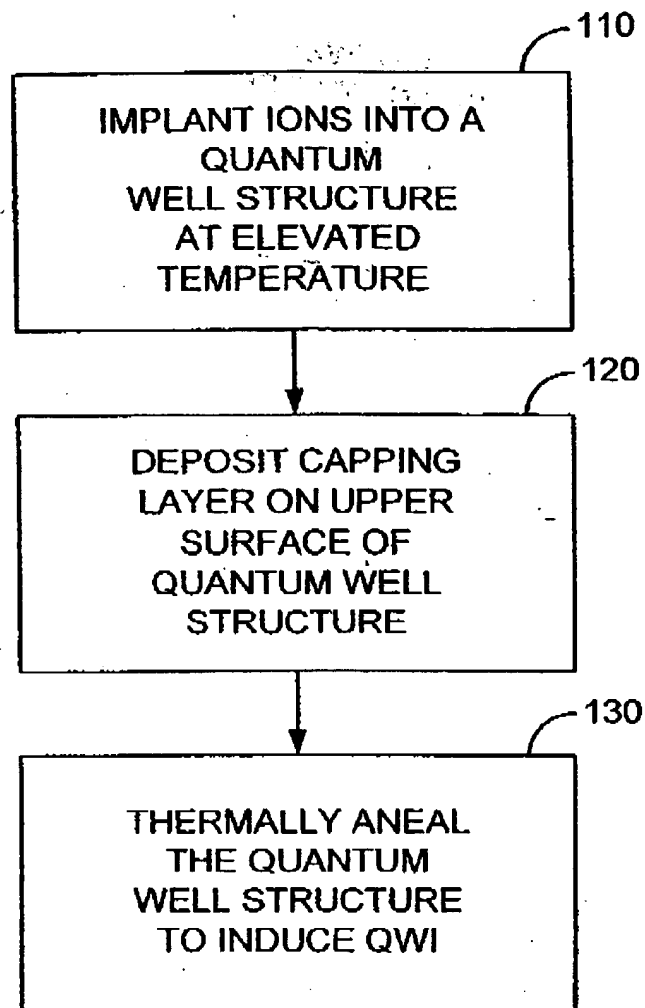


FIG. 1B.

2/13

**FIG. 2.**

3/13

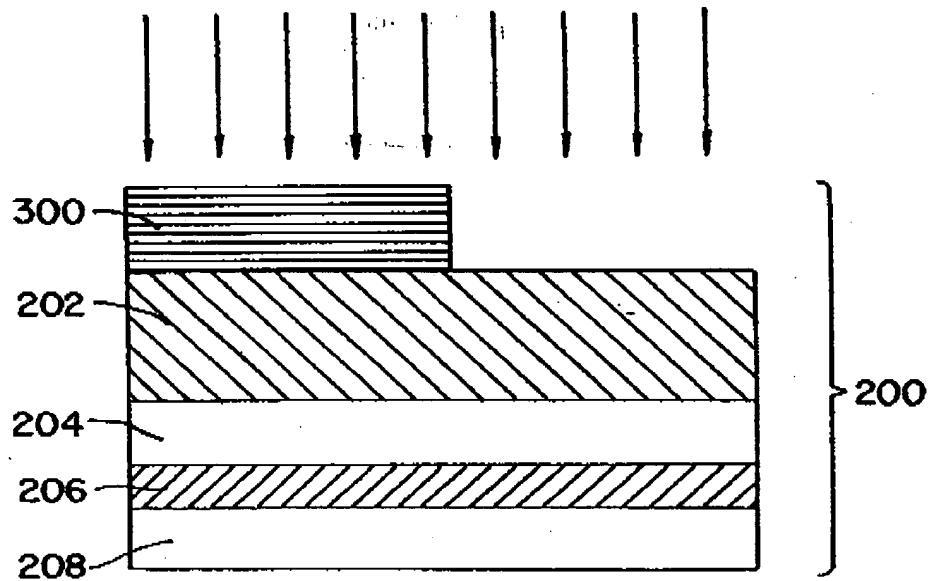
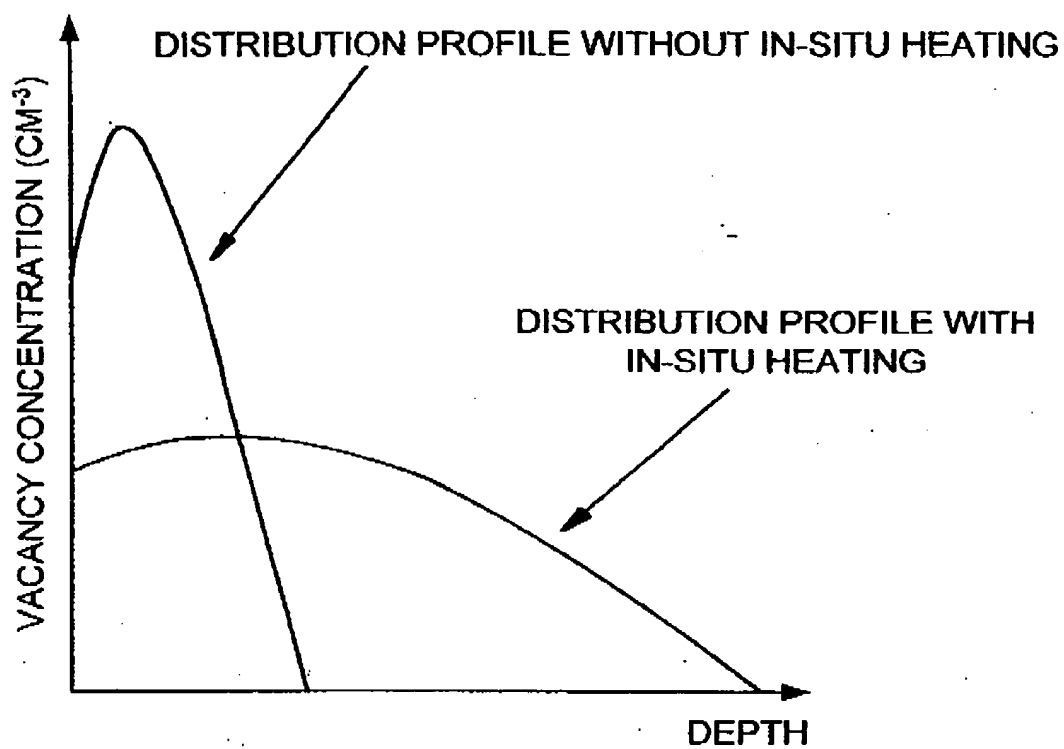
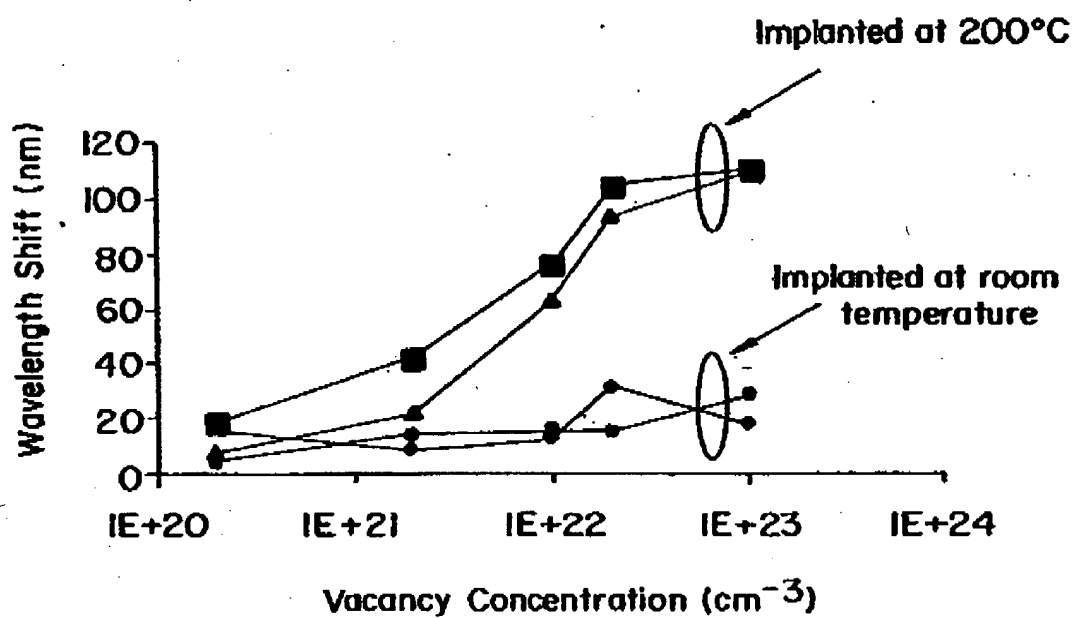


FIG. 3.

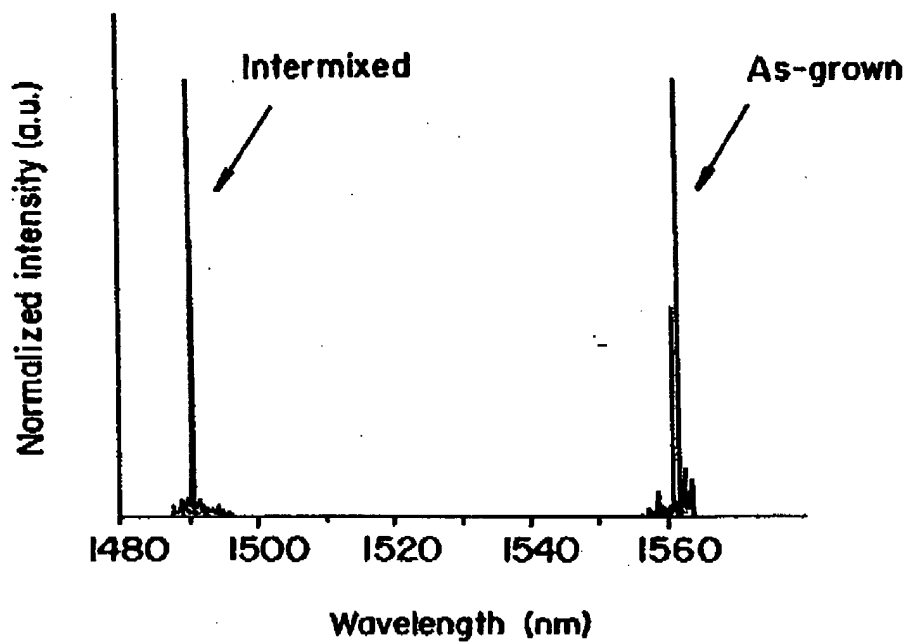
4/13

**FIG. 4.**

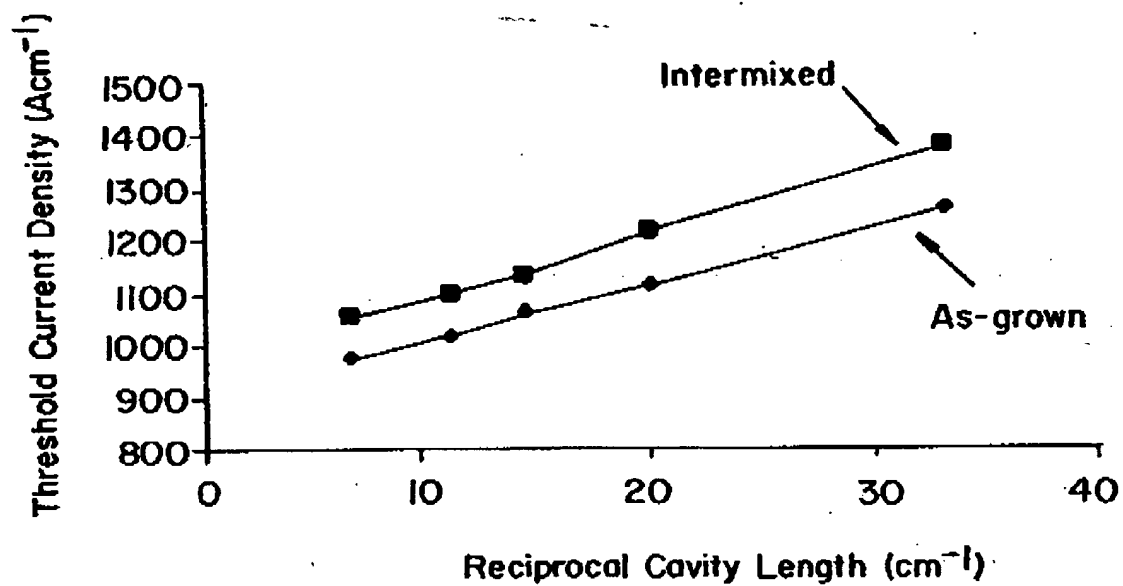
5/13

**FIG. 5.**

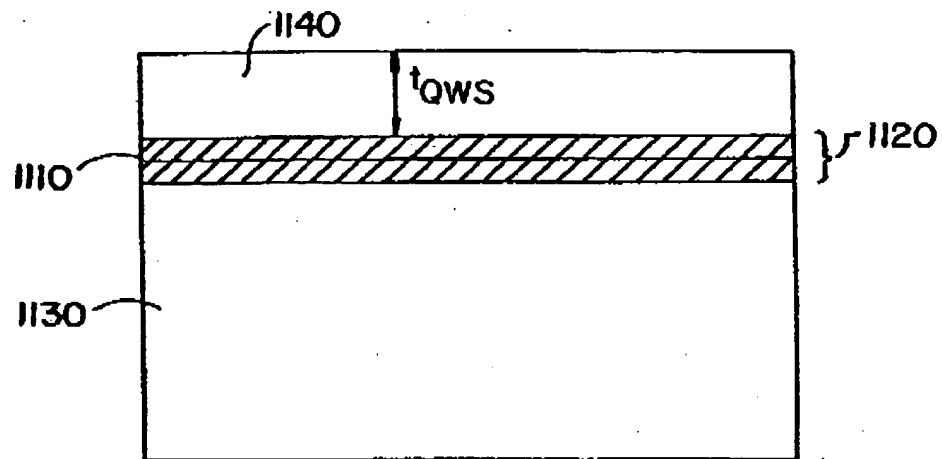
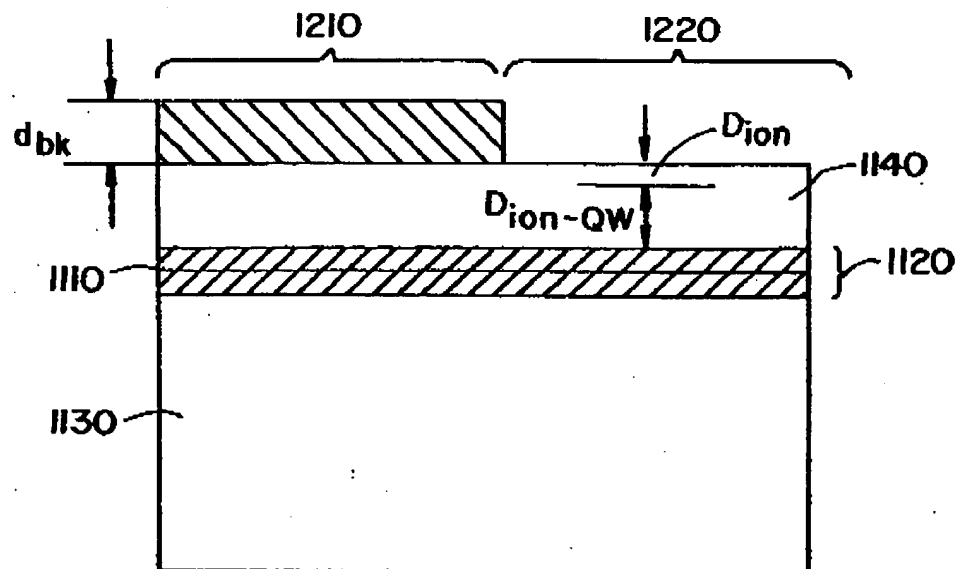
6/13

**FIG. 6.**

7/13

**FIG. 7.**

8/13

**FIG. 8A.****FIG. 8B.**

9/13

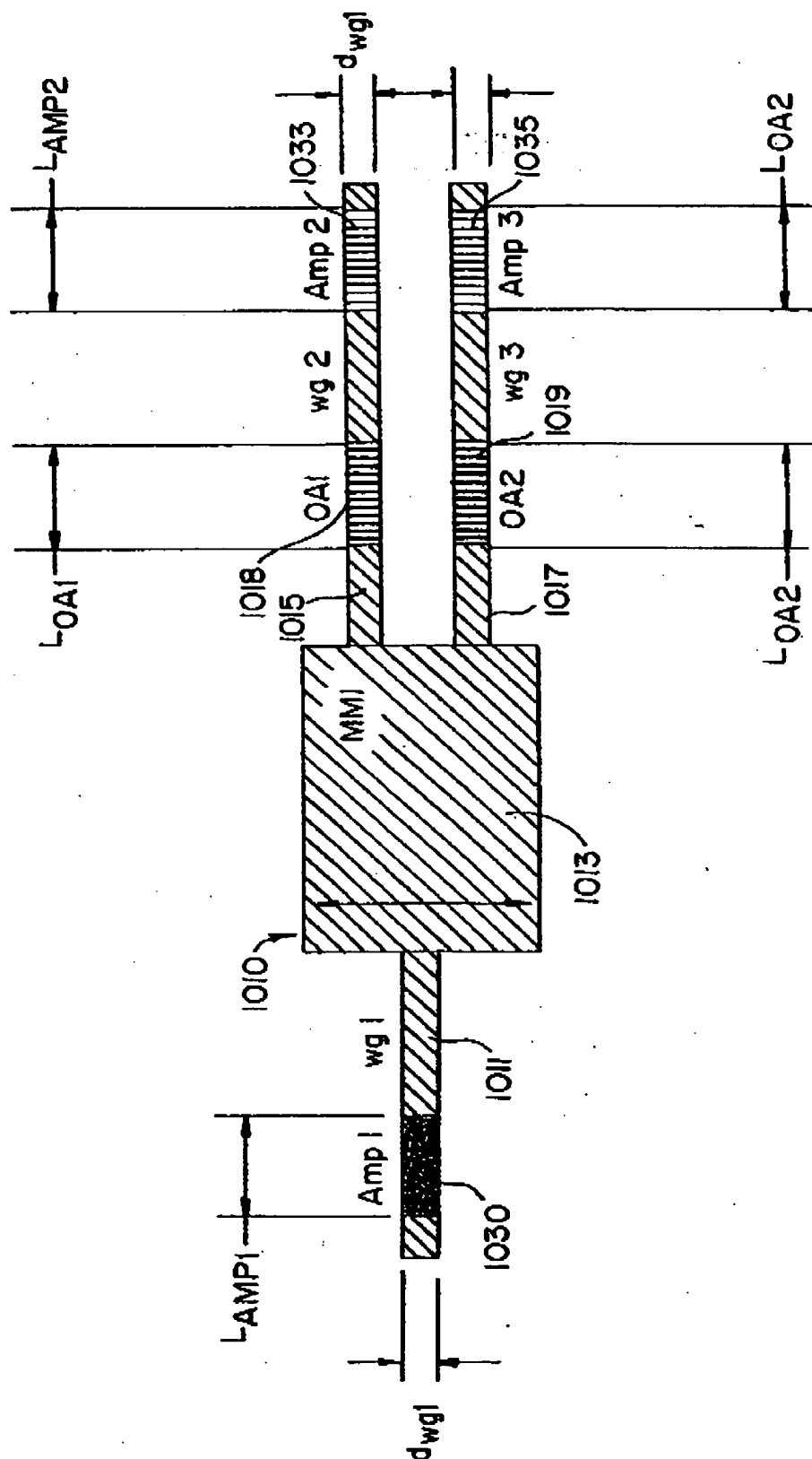


FIG. 9.

10/ 13

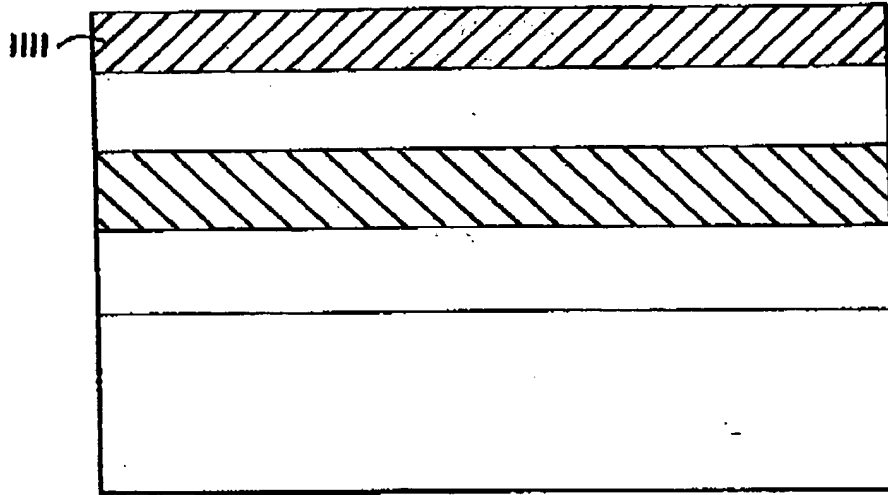


FIG. 10A.

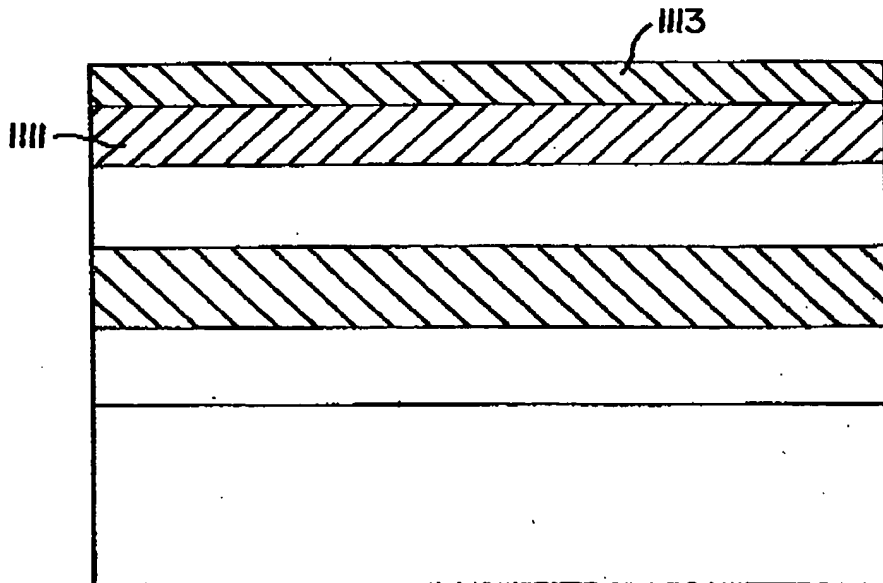


FIG. 10B.

11/13

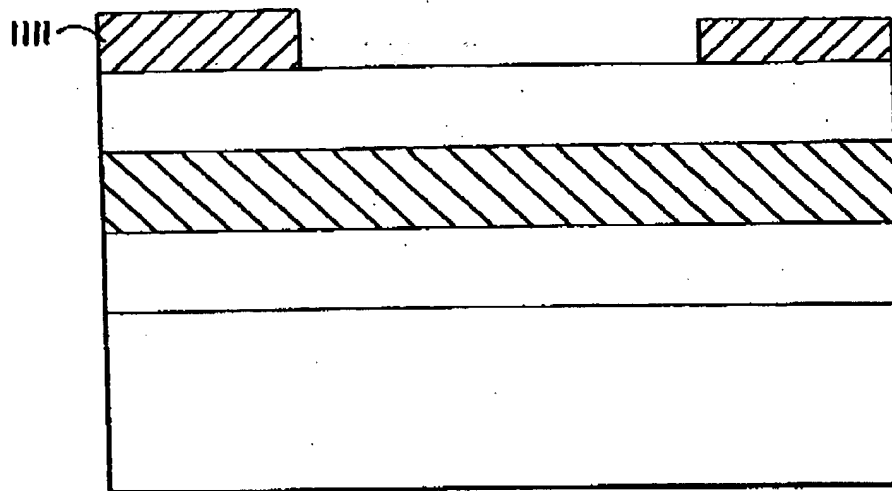


FIG. 10C.

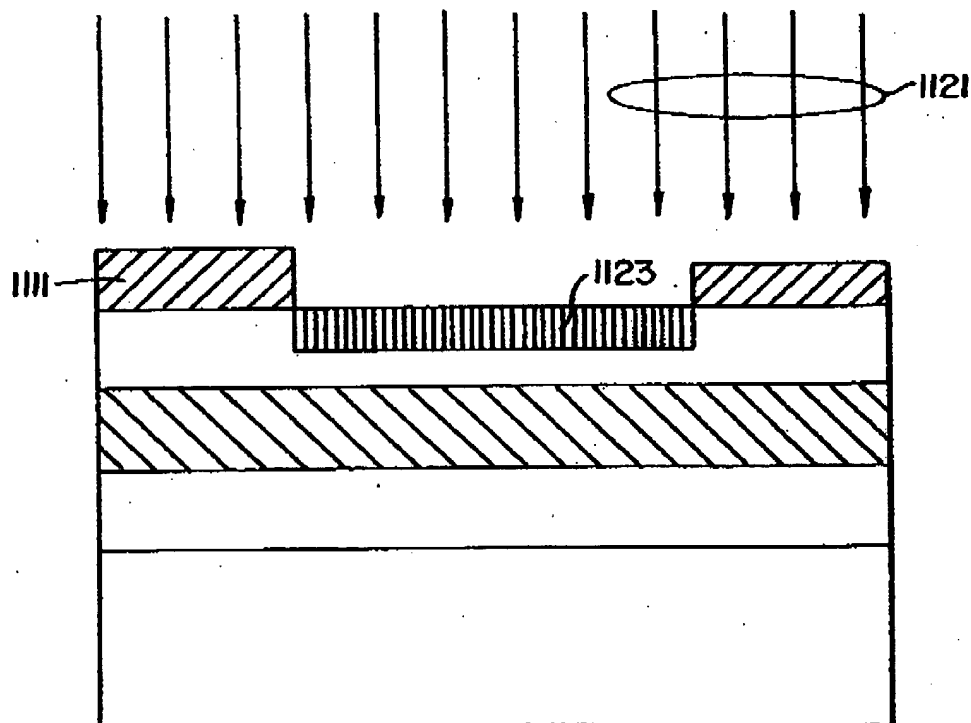


FIG. 10D.

12/13

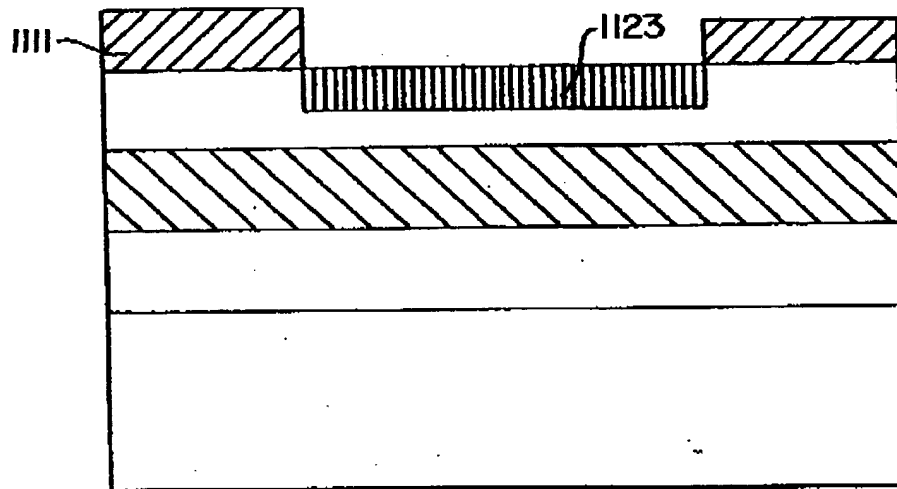


FIG. 10E.

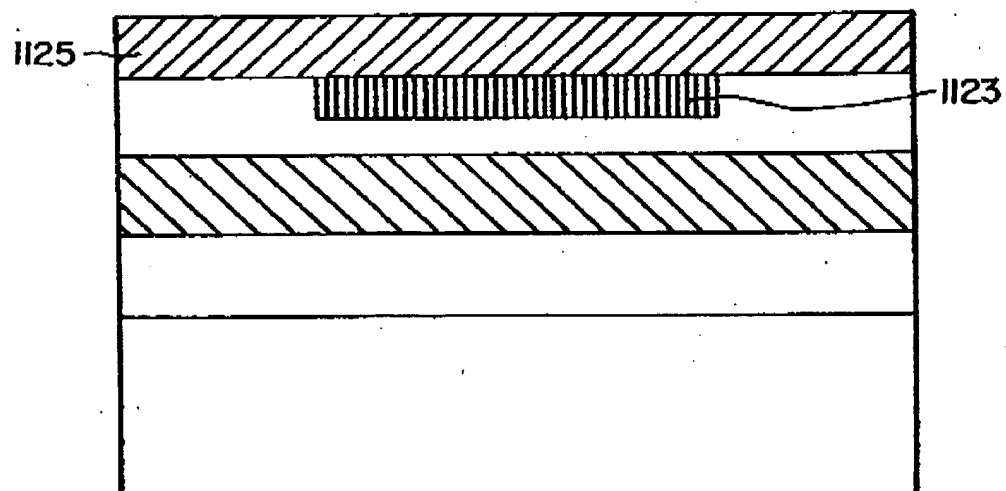


FIG. 10F.

13/13

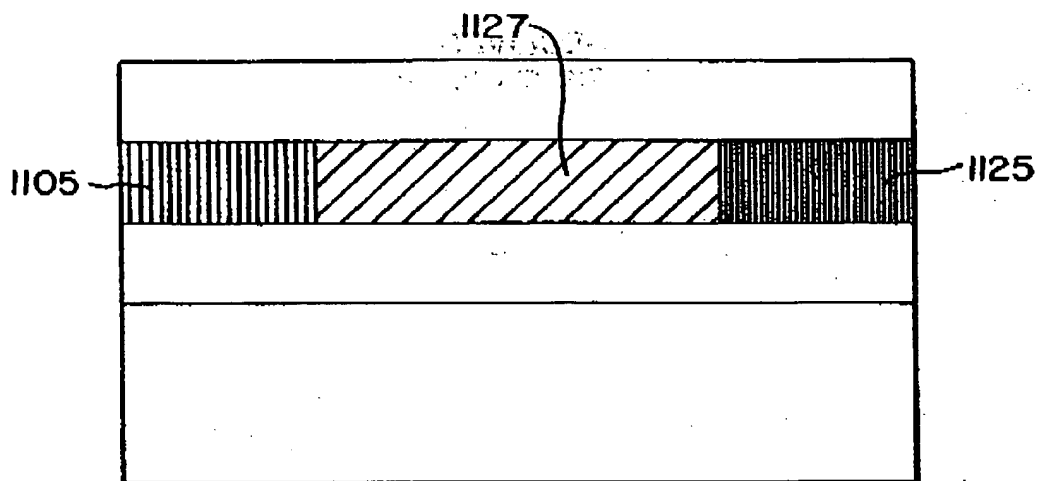


FIG. 10G

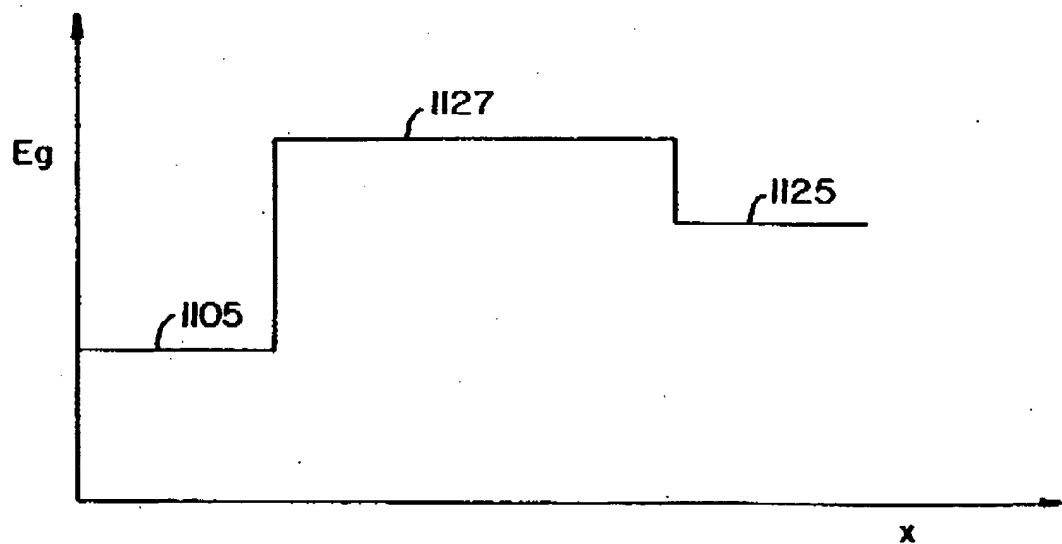


FIG. 10H.